

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	CRIMINAL ACTION
v.)	
)	05-10115-JLT
JOSE MORALES et al.)	
)	
)	

INITIAL PRE-TRIAL STATUS REPORT

The United States and the defendants hereby respectfully submit this joint status report for the Initial Pretrial Conference scheduled for March 27, 2006 at 10:00 p.m.

1. **Rule 11 Hearings:** Rule 11 hearings may be scheduled for defendant JOSE NICHOLSON and HERMAN MELO beginning any time the week of April 10, 2006.

2. **Motion Hearing Dates:** Defendants BATISTA, PEREZ, and SOULCAT have filed motions to suppress. The government will respond to defendant BATISTA and SOUCLAT's motions before the hearing on March 27th. The government has moved for a one week extension of time to respond to defendant PEREZ's motion, which was also joined by defendant KEENAN. Defendant TORRES will also be filing a motion to suppress. Accordingly, motion to suppress hearings will be required for defendants BATISTA, PEREZ, SOUCLAT, TORRES, and KEENAN. All of these hearings (with the exception of PEREZ's motion to suppress the wiretap, joined by KEENAN) will be evidentiary hearings.

3. **Trial Dates:** Thus far, the following eight (8)

defendants may be require a trial date: JOSE LUIS FIGUEROA-RAMOS, ROBERT MEDEIROS, MIGUEL CASADO, BRIAN KEENAN, WILFREDO TORRES, LUIS SOUCLAT, WILBERTO BATISTA, and JOSE ORTIZ-PEREZ. A trial for these eight defendants would last approximately seven weeks due to the volume of intercepted phone calls, the number of undercover purchases, and the need for Spanish interpreters. The parties request that a trial date not be set for no sooner than October 2006 in order for the government to prepare and the parties to resolve any disputes regarding English transcripts of wiretap calls. See United States v. Morales-Madera, 352 F.3d 1, 8 (1st Cir. 2003). Defendant LUIS MORALES (#2) remains a fugitive.

4. Interpreters: Spanish language interpreters will be required for defendants: JOSE MORALES, JOSE LUIS FIGUEROA-RAMOS, DIXON PEREZ, JOSE NICHOLSON, MIGUEL CASADO, WILFREDO TORRES, LUIS SOUCLAT, WILBERTO BATISTA, and JOSE ORTIZ PEREZ.

5. Custodial Status: The following defendants are in federal custody: JOSE MORALES, JOSE LUIS FIGUEROA-RAMOS, DIXON PEREZ, JOSE NICHOLSON, MIGUEL CASADO, LUIS SOUCLAT, WILBERTO BATISTA, HERMAN MELO, and DAVID ROSININA. Defendant JOSE ORTIZ-PEREZ is currently in state custody in Bristol County on pending state charges that the government anticipates will be dismissed in lieu of the federal prosecution. Defendants ROBERT MEDEIROS, BRIAN KEENAN, and WILFREDO TORRES have been released on

conditions of release.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

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/s/ Victoria-Bonilla
Victoria Bonilla-Argudo
Attorney for JOSE NICHOLSON

/s/ Barry Wilson
Barry Wilson
Attorney for ROBERT MEDEIROS

/s/ Elaine Pourinski
Elaine Pourinski
Attorney for MIGUEL CASADO

/s/ Catherine Byrne
Catherine Byrne
Attorney for HERMAN MELO

/s/ Peter Parker
Peter Parker
Attorney for BRIAN KEENAN

/s/ J.Thomas Kerner
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Attorney for WILBERTO BATISTA

/s/ David Duncan

David Duncan
Attorney for JOSE ORTIZ-PEREZ

Date: March 27, 2006